

## REMARKS

### I. Summary of the Examiner's Action

#### A. Claim Rejections

As set forth in paragraph 4 of the November 24 Office Action, claims 1, 3 – 5, 8 – 9, 11 – 12, 14 – 15, 18 – 19, 21 – 29 and 31 – 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the International Application Publication No. WO 00/58816 to Bellman *et al.* (hereinafter “Bellman” or “the Bellman application”).

As set forth in paragraph 6 of the November 24 Office Action, claims 10 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bellman in view of European Patent Application Publication No. EP 1 022 649 A1 to Kozu (hereinafter “Kozu” or “the Kozu application”).

As set forth in paragraph 7 of the November 24 Office Action, claim 30 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bellman in view of United States Patent No. 5,797,098 to Schroeder *et al.* (hereinafter “Schroeder” or “the Schroeder patent”).

These rejections are respectfully disagreed with, and are traversed below.

B. Claim Objections and Allowable Subject Matter

As set forth at paragraph 8 of the November 24 Office Action, the Examiner objected to claims 2, 6 – 7, 13 and 16 – 17 as being dependent upon a rejected base claim, but indicated that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

II. Applicant's Response – Claim Rejections

A. Rejection of Claims 1, 3 – 5, 8 – 9, 11 – 12, 14 – 15, 18 – 19, 21 – 29 and 31 – 32 under 35 U.S.C. § 102(b)

1. Pending Claims 1 – 27 and New Claims 33 – 34

Applicants have amended independent claims 1, 12, 22 and 23 to recite the subject matter of claim 2 objected to by the Examiner. Applicants also have added new independent claims 33 and 34 which similarly recite the subject matter of claim 2. Applicants respectfully submit that independent claims 1, 12, 22, 23, 33 and 34 are allowable. Applicants therefore respectfully request that the rejection of these claims be withdrawn.

Applicants have cancelled the subject matter added to claims 1, 12, 22, 23, 33 and 34 from claim 2 and have amended claim 2 to recite another aspect of Applicants' invention. Applicants have similarly amended claim 13. In particular, as is evident from each of the figures depicting Applicants' invention and the accompanying text, in one aspect of Applicants' invention, the icons comprising an arrangement of icons maintain

constant relative positions during icon selection operations. This is in marked contrast to the dynamic keyboard region of Bellman which constantly changes in dependence on which icon is selected. For as long as the icons in Applicants' invention are displayed, the icons maintain constant relative positions. In addition, no new matter has been added by these amendments.

Further, in light of the foregoing, Applicants submit that dependent claims 2 – 7, 9, 11, 13 – 19, 21 and 24 – 27 are allowable. Applicants therefore respectfully request that the rejection of these dependent claims be withdrawn.

2. Claims 28, 29, 31 - 32 and New Claims 35 – 37

Claim 28 (as amended) recites the following subject matter (emphasis added):

28. A method comprising:

displaying an arrangement of icons, the arrangement having a first portion comprising a first plurality of icons and a second portion comprising at least one icon, wherein the icons comprising the arrangement maintain constant relative positions during icon selection operations;

generating a highlight for use in highlighting one icon at a time in the arrangement of icons;

receiving at least one of directional input indicating to which icon the highlight is to be moved and icon selection input; and

selecting an icon in response to highlighting of the icon if the icon is a member of the first portion and in response to receipt of icon selection input entered after the icon has been highlighted if the icon is a member of the second portion.

Applicants respectfully submit that it is not seen where the emphasized elements are either described or suggested in the Bellman application.

In particular, the Bellman application discloses a graphical representation 21 of a modified QWERTY keyboard comprised of static regions 12 and a dynamic region 14, as this portion appearing at page 5, line 17 – page 29 describes (emphasis added):

“Referring once again to figure 1, the entire on-screen keyboard thus consists of standard alphanumeric characters in a fixed QWERTY layout 12, and a dynamic region 14 which display a given set of characters that is dependent on the key pressed.

For example, assume that a character  $\gamma$  is entered (either on the fixed or dynamic region of the keyboard). The system fills the layout positions in the dynamic region 14 with the first  $n$  characters in a list  $L$ , where  $n$  is the size of the dynamic region and  $L$  is a prioritized list of characters. The characters in the list  $L$  are organized such that the most likely character to follow the character  $\gamma$  appears first in the list  $L$  whereas the least likely to follow the character  $\gamma$  appears last in the list.”

Thus as characters are selected in Bellman’s method and apparatus, the characters comprising the dynamic region change.

Applicants’ invention as claimed does not operate in this manner. Rather, as recited in claim 28, the “icons comprising the arrangement maintain constant relative positions during icon selection operations”. This is true even as the graphical representation of a keyboard is scrolled across a display in Applicants’ invention.

Accordingly, the combination of the icons comprising the arrangement maintaining a constant relative position and the differing means for selecting an icon depending on whether the icon is a member of the first portion or second portion of icons is not seen to be either described or suggested by the Bellman application.

For the foregoing reasons, Applicants respectfully request that the rejection of claim 28 be withdrawn. Applicants respectfully submit that new independent claim 35 is patentable for similar reasons to claim 28. Accordingly, Applicants request that the rejection of claim 35 be withdrawn. Applicants further respectfully submit that dependent claims 36 and 37 are patentable as depending from an allowable base claim and for reasons attributable to their independently-recited features.

Claim 29, as amended, now recites (emphasis added):

29. A device comprising:

a display;

means for producing an arrangement of icons on the display;

a control input configured to receive user input; and

a control configured to select an icon in response to the user input

and to move the arrangement of icons in response to the

user input, wherein as the arrangement of icons moves, the

icons comprising the arrangement maintain constant

relative positions for so long as the icons comprising the  
arrangement continue to be displayed.

Applicants respectfully submit that it is not seen where the references of record either describe or suggest the emphasized subject matter of claim 29. Accordingly, Applicants respectfully request that the rejection of claim 29, and claims 31 and 32, which depend from claim 29, be withdrawn.

B. Rejection of Claims 10, 20 and 30 under 35 U.S.C. § 103(a)

Applicants respectfully submit that claims 10 and 20 are now patentable as depending from an allowable base claim. Further, it is not seen where either the Kozu application or Schroeder patent make up for the foregoing deficiencies of the Bellman application, whether taken singly or in combination. Accordingly, claim 30 is allowable both as depending from allowable base claims and for reasons attributable to its independently-recited features. Applicants therefore respectfully request that the rejection of dependent claim 30 be withdrawn.

III. Conclusion

The Applicants submit that in light of the foregoing remarks the application is now in condition for allowance. Applicants therefore respectfully request that the outstanding rejections be withdrawn and that the case be passed to issuance.

Respectfully submitted,

February 9, 2007  
Date

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